

United States Department of the Interior

BUREAU OF LAND MANAGEMENT

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Instruction Memorandum No. NV-2004-006
Expires: 9/30/2005

To: Field Managers, Nevada
Deputy State Directors and Staff Chiefs, NSO

From: State Director, Nevada

Subject: Determination of the Direct Effects Analysis Area for National Historic Trails (NHTs)

PURPOSE

This instruction memorandum establishes the direct effects area around National Historic Trails for use in compliance with Section 106 of the National Historic Preservation Act (NHPA). This guidance applies to all new land-use authorizations on public land adjacent to present and future NHTs in Nevada designated under the National Trails System Act of 1968 (NTSA). Congress designates each NHT and its centerline. A mixture of historical documentation, field inspection, and conjecture generally has been used to establish centerline locations. However, typical trail usage during the period of significance was within a corridor of varying, unknown, and unspecified width rather than a route confined by pavement, land use, or detailed mapping. Under these circumstances, it is impossible to define the boundaries of each trail without adequate field inventory by qualified persons. This instruction establishes consistency in the extent of analysis required by field offices where new inventory is necessary to determine the nature, extent, and significance of NHT resources.

BACKGROUND

At present, NHTs in Nevada include the California (CNHT), Pony Express (PX), and Old Spanish (OST) trails. The CNHT and PX trails were designated in 1992, while the OST was designated in 2002. Nevada BLM manages approximately 940 miles of NHTs found in multiple field offices.

During the feasibility study phase of an NHT designation process, “high-potential route segments” and “high-potential sites” are identified where there are greater than average historic landscape values or the opportunities for appreciating the experience of the original users of the NHT. Under the NTSA, physical traces are not required in order to qualify for designation of high-potential locations. These segments and sites have been identified for the CNHT and PX in Nevada and are shown in National Park Service (1999). Such designations for the OST are pending and all segments and sites will be managed as if they are high-potential.

Each NHT is also a cultural resource subject to terms of NHPA. The threshold to qualify for preservation efforts under NHPA is eligibility for inclusion on the National Register of Historic Places (NRHP).

DETERMINATION OF THE DIRECT EFFECTS ANALYSIS AREA

A. Effective NHT management focuses on varying levels of analysis and treatment along the centerline route that Congress specified when it designated a trail. How a given segment of the centerline is managed depends on local conditions.

1. Within an area extending one-mile on each side of the centerline, eligible remains of the trail and its associated features will be identified and direct effects to them considered and treated according to the BLM/Nevada State Historic Preservation Office (SHPO) State Protocol Agreement. There is no need for prior SHPO consultation when BLM determines that Class III inventory will be used to identify and evaluate NHT resources. Prior SHPO consultation is required when BLM uses a different approach to identify and evaluate NHT resources.
2. NHT resources may be found beyond the one-mile analysis area defined here. These resources have to be considered and treated according to the BLM/SHPO State Protocol Agreement.
3. In some cases, a wider analysis area may be established as needed to adequately comply with the NHPA and NTSA.
4. A narrower analysis area may be established where: (a) BLM and SHPO agree that prior inventory or other information is adequate to define limits of the NHT, and (b) BLM and SHPO agree to designate a specific narrower direct effects area.

B. High-potential NHT segments and sites as well as unevaluated sites and segments will be managed as if eligible for the NRHP until they are determined to be not eligible according to the BLM/SHPO State Protocol Agreement.

In addition to the procedures defined here, the approach to Historic Landscape Management along National Historic Trails is defined in Nevada IM NV-2004-004. Both of these IMs must be used when dealing with potential impacts to NHTs under the provisions of either the NHPA or the NTSA.

Signed by:
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Acting State Director, Nevada

Authenticated by:
Florence Kopec
Staff Assistant

National Park Service (NPS)

1999 *Comprehensive Management and Use Plan/Final Environmental Impact Statement: California National Historic Trail, Pony Express National Historic Trail. Management and Use Plan Update/Final Environmental Impact Statement: Oregon National Historic Trail, Mormon Pioneer National Historic Trail.* U.S. Department of the Interior, National Park Service, Long Distance Trails Office, Salt Lake City, Utah.